

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

STEVE RUBY,

Plaintiff,

VS.

**ROD KUSH FURNITURE,
d/b/a Furniture on Consignment,**

Defendant.

8:05CV251

ORDER

This matter is before the court *sua sponte*.

On June 28, 2006, the court granted the plaintiff an award for sanctions in connection with his February 22, 2006 motion to compel. **See** Filing No. 23. In accordance with the court's order, the parties were directed to confer on a reasonable amount to be awarded. In the event the parties could not agree, the plaintiff was directed to file an application for fees by July 24, 2006. No stipulation or application was filed.

Upon review of the February 22, 2006 motion to compel and issues involved, the court finds an award of costs and fees in the amount of \$200.00 is reasonable. Accordingly,

IT IS ORDERED:

1. The plaintiff is awarded \$200.00 for reasonable costs and attorney's fees in bringing the February 22, 2006 motion to compel (Filing No. 16).
2. The defendant shall pay the plaintiff \$200.00 and file a notice of such compliance **on or before September 1, 2006**.

DATED this 2nd day of August, 2006.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge